

HB0351



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB0351

by Rep. Tom Demmer

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-113

from Ch. 95 1/2, par. 3-113

Amends the Illinois Vehicle Code. Provides that before imposing a delinquent vehicle dealer transfer fee, the Secretary of State must confirm that the vehicle dealer has been notified by certified mail that he or she will be subject to a delinquent vehicle dealer transfer fee if the certificate of title is not received by the Secretary within a given time period.

LRB099 05814 RJF 25858 b

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 3-113 as follows:

6 (625 ILCS 5/3-113) (from Ch. 95 1/2, par. 3-113)

7 Sec. 3-113. Transfer to or from dealer; records.

8 (a) After a dealer buys a vehicle and holds it for resale,
9 the dealer must procure the certificate of title from the owner
10 or the lienholder. The dealer may hold the certificate until he
11 or she transfers the vehicle to another person. Upon
12 transferring the vehicle to another person, the dealer shall
13 promptly and within 20 days execute the assignment and warranty
14 of title by a dealer, showing the names and addresses of the
15 transferee and of any lienholder holding a security interest
16 created or reserved at the time of the resale, in the spaces
17 provided therefor on the certificate or as the Secretary of
18 State prescribes, and mail or deliver the certificate to the
19 Secretary of State with the transferee's application for a new
20 certificate, except as provided in Section 3-117.2. A dealer
21 has complied with this Section if the date of the mailing of
22 the certificate, as indicated by the postmark, is within 20
23 days of the date on which the vehicle was transferred to

1 another person.

2 (b) The Secretary of State may decline to process any
3 application for a transfer of an interest in a vehicle if any
4 fees or taxes due under this Code from the transferor or the
5 transferee have not been paid upon reasonable notice and
6 demand.

7 (c) Any person who violates this Section shall be guilty of
8 a petty offense.

9 (d) Beginning January 1, 2014, the Secretary of State is
10 authorized to impose a delinquent vehicle dealer transfer fee
11 of \$20 if the certificate of title is received by the Secretary
12 from the dealer 30 days but less than 60 days after the date of
13 sale. If the certificate of title is received by the Secretary
14 from the dealer 60 days but less than 90 days after the date of
15 sale, the delinquent dealer transfer fee shall be \$35. If the
16 certificate of title is received by the Secretary from the
17 dealer 90 days but less than 120 days after the date of sale,
18 the delinquent vehicle dealer transfer fee shall be \$65. If the
19 certificate of title is received by the Secretary from the
20 dealer 120 days or more after the date of the sale, the
21 delinquent vehicle dealer transfer fee shall be \$100. Before
22 imposing a delinquent vehicle dealer transfer fee, the
23 Secretary must confirm that the vehicle dealer has been
24 notified by certified mail that he or she will be subject to a
25 delinquent vehicle dealer transfer fee if the certificate of
26 title is not received by the Secretary within the periods of

1 time described under this subsection. All monies collected
2 under this subsection shall be deposited into the
3 CDLIS/AAMVAnet/NMVTIS Trust Fund.
4 (Source: P.A. 98-177, eff. 1-1-14.)